

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

IP INNOVATION L.L.C. and TECHNOLOGY )  
LICENSING CORP., )

Plaintiffs/Counterclaim )  
Defendants, )

v. )

RED HAT, INC. and NOVELL, INC., )  
Defendants. )

Civil Action No. 2:07-cv-447 (RRR)  
Jury Trial Demanded

**PLAINTIFFS' RENEWED MOTION FOR JUDGMENT  
AS A MATTER OF LAW, OR IN THE ALTERNATIVE, FOR A NEW TRIAL**

The Plaintiffs filed earlier today a motion for judgment as a matter of law or in the alternative, for a new trial, to preserve their rights under Rule 50. That filing was made pursuant to an agreement on the record between the parties which was approved by the Court at the close of the defendants' case in chief. In order to preserve the arguments made in that motion which is effective as of the close of the Defendants' case, and to toll the time for filing a notice of appeal, Plaintiffs respectfully renew and incorporate by reference herein all of the points and authorities raised in their motion for JMOL and for new trial.

Respectfully submitted,

/s/ Paul C. Gibbons

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing **PLAINTIFFS' RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW, OR IN THE ALTERNATIVE, FOR A NEW TRIAL** was filed with the Clerk of the Court on May 14, 2010 using the CM/ECF system, which will send notification of such filing to the following at their email address on file with the Court:

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